

REMARKS

Prior to this amendment "A", claims 1-5 were pending in the subject application. In response to the Office action, Applicant has amended claims 1-5 to better meet the requirements of U.S. patent practice and has added new claims 6-14. Reconsideration of the application in its current format is hereby respectfully requested.

In the Office action, the Examiner objected to the Abstract and objected to claim 1 for insufficient antecedent basis. In response, Applicant has amended the Abstract and amended claim 1, inter alia, to correct the insufficient antecedent basis.

Also in the Office Action, the Examiner has rejected claim 1 under 35 U.S.C. §103(a) as being unpatentable over German Patent Document DE1265836 to Peiser et al. (hereinafter "Peiser"), in view of U.S. Patent No. 6,567,249 to Berndt (hereinafter "Berndt"). The Examiner has rejected claims 2-5 under 35 U.S.C. §103(a) as being unpatentable over Peiser in view of Berndt, as applied to claim 1, and further in view of U.S. Patent No. 3,467,903 to Streater (hereinafter "Streater"). Applicant traverses these rejections for at least the reasons set forth below.

Peiser discloses a power system comprising transformers WR, WS, WT having primary windings wr₁, ws₁, wt₁, secondary windings wr₂, ws₂, wt₂, and auxiliary windings wr₃, ws₃, wt₃ (see e.g. Figure 1, col. 3 lines 34-53). The auxiliary windings wr₃, ws₃, wt₃ are connected to a circuit having a resistor R connected in series with contacts rr, rs, rt, of relays RR, RS and RT. As acknowledged by the Examiner, Peiser fails to disclose a thermal fuse and an element with a threshold voltage and current characteristic connected in series between the output of the auxiliary secondary winding of one of the single-phase transformers and the resistor R. The Examiner, however, cites Berndt as teaching these

components.

Berndt discloses an AC/(DC)/DC converter having a primary winding 3, a secondary winding 4 and a switching integrated circuit IC1 that is controlled by a control circuit 7 to keep the direct voltage U2 on the primary side constant. The direct voltage on the secondary side is conditioned/regulated and provided as an input to an optocoupler OC of the control circuit 7. The direct voltage on the secondary side is conditioned/regulated by a diode D2, a fuse S1, a resistor R3 and a Zener diode Z2.

Initially, it should be noted that the fuse S1 is not disclosed as being a *thermal* fuse. For at least this reason, Berndt fails to cure the deficiency of Peiser with regard to independent claim 1 (and new independent claim 8 for that matter). In addition, Applicant submits that the Examiner has failed to provide a rational reason why one skilled in the art would modify the power system of Peiser to include the fuse S1 and the diode D2 of Berndt so as to approximate the present invention of independent claim 1 (and independent claim 8). There is no teaching, suggestion, or motivation in either Peiser or Berndt to make such a modification. The reasoning enunciated by the Examiner is merely a conclusory statement. The Examiner has failed to provide any evidence that overheating (due to excess current in the auxiliary secondary winding circuit) in the Peiser power system was a recognized problem. For at least the foregoing reasons, Applicant submits that independent claims 1 and 8 and, thus, claims 2-7 and 9-14 are not obvious in light of Peiser and Berndt.

Since Streater merely discloses a motor circuit with a thermal cutout, it is clear that Streater fails to cure the deficiencies of Peiser and Berndt with regard to independent claims 1 and 8 and, thus, dependent claims 2-7 and 9-14. Accordingly, Applicant submits

that claims 1-14 are patentable over Peiser, Berndt and Streater, individually and in combination.

Based on the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

Respectfully submitted,

By: 

Paul R. Katterle, Reg. No. 36563

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c/o ABB Inc.
29801 Euclid Avenue-4U6
Wickliffe, Ohio 44092-2530
(440) 585-7968
Customer No. 23361